

Appl. No. 09/822,292  
Amdt. Dated 7/21/2004  
Reply to Office Action of 5/21/2004

### **REMARKS**

Claims 1-16 and 18-27 are pending in the instant Application. Claim 17 was canceled in a previous response. Claims 28-39 were withdrawn in a previous response. The Examiner has objected to claim 20 due to informalities. Claims 1-9 and 13-17 have been rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 6,564,055 issued to Hronek. Additionally, claims 10-12, 19, and 20-27 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hronek. Claims 1, 14, and 20 have been amended. New claims 40-72 have been added. The Applicants submit that claims 1-16, 18-27, and 40-72 are in condition for allowance for at least the reasons provided herein. No new matter has been entered.

#### ***Claim Objections***

Claim 20 has been objected to because of informalities. The Applicants have amended the wording of claim 20 and gratefully acknowledge the Examiner's recommendation.

#### ***Claim Rejections under 35 USC § 102***

Claims 1-9 and 13-17 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Hronek. The Applicants respectfully traverse the rejections of claims 1-9 and 13-17 for at least the reasons presented herein.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the \* \* \* claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the

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elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988).

Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

Applicants amended claim 1 recites a method for updating an internal database associated with a first wireless device comprising ...receiving a first item of information *relating to a new or revised agreement between a wireless service provider and a subscription company servicing the first wireless device, the first item of information* corresponding to at least one wireless service provider that is associated with a local calling area; targeting a set of subscribers associated with wireless devices including the first wireless device for receiving information related to the first item of information; updating a concerned database to include the target subscribers for receiving the information related to the first item; receiving a second item of information related to an autonomous registration event by the wireless device; and transmitting a third item of information to the wireless device only in response to the receipt of the second item of information, and only if the wireless device is associated with a targeted subscriber in the concerned database, wherein the third item of information is related to the first item of information.

Hronck does not recite these features. Hronck teaches a method "for updating carrier information in a roaming mobile device..." (col. 3, lines 33-34). A carrier code list is updated upon "determining if a mobile device containing a first carrier code list has roamed. If the mobile device has roamed, a second regional carrier code list different from the first carrier code list is downloaded to the mobile device" (col. 3, lines 46-52). Also, Hronck teaches updating a carrier code list in a mobile device by "determining if a mobile device containing a first carrier code list has changed location based on a registration notification message [upon which] a second regional carrier code list different from the first carrier code list is downloaded to the mobile device" (col. 3, lines 53-60). Further, Hronck teaches a "location based IRDB is downloaded to a particular mobile device when the mobile device enters the location corresponding to that particular location based IRDB...[w]hen the mobile device roams to a new geographical region and re-registers, a triggering event is formed."

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(col. 5, lines 13-20). Examples of triggering events, as taught by Hronek, include an update "based upon a roam to a new location, based on selection of a particular subscription plan, based on a time of day, etc." (col. 6, lines 60-64).

Thus, the teachings of Hronek suggest that 'updates' relate to the IRDB data of a location to which a mobile device user has roamed and not to the updates relating to a new or revised agreement between a wireless service provider and a subscription company that services a wireless device as recited in Applicants' claim 1. Moreover, the updating as taught by Hronek is *initiated at the time in which a mobile device has entered a new region and not upon the acquisition of an update regarding a new or revised agreement*. Accordingly, Hronek does not teach or recite each and every element of Applicants claim 1. The Applicants submit that claim 1 is patentable over Hronek for at least this reason.

Applicants' claim 14 also recites a method for updating an internal database associated with a wireless device and is patentable over Hronek for at least the reasons provided above with respect to claim 1. Claims 2-9 and 13 depend from an allowable claim 1. Claims 15-17 depend from an allowable claim 14. For at least these reasons, the Applicants submit that claims 1-9, and 13-17 are in condition for allowance and respectfully request reconsideration of the outstanding rejections.

### ***Claim Rejections under 35 USC § 103***

Claims 10-12, 19, and 20-27 have been are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hronek. Claims 10-12 depend from what is an allowable claim 1. Claim 19 depends from an allowable claim 14. Claim 20 recites a system for updating an internal database associated with a wireless device comprising: "an IRDB database, wherein the IRDB database includes information concerning wireless service providers and receives updates concerning the wireless service providers from a business office, *the updates relating to a new or revised agreement between at least one of the wireless service providers and a subscription company servicing the wireless device...*" (emphasis added). As described above with respect to claim 1, Hronek does not recite these features. Accordingly, claim 20 is patentable over Hronek for at least this reason. Claims

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21-27 depend from what is an allowable claim 20. The Applicants submit that claims 10-12, 19, and 20-27 are in condition for allowance and respectfully request reconsideration of the outstanding rejections.

New claims 40-52 are directed to a storage medium for updating an internal database as recited in Applicants claims 1-13. New claims 53-72 are directed to a wireless device. The Applicants submit that claims 40-72 are in condition for allowance for at least the reasons provided above with respect to claims 1-16 and 18-27.

If there are any charges with respect to this Amendment, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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